

REMARKS

Remaining rejected claims 18-26 have been cancelled by this Amendment. Thus, a favorable action in the form of a Notice of Allowance is respectfully requested.

A Notice of Panel Decision from Pre-Appeal Brief Review (herein called the "Notice") was mailed out on November 23, 2005. The Notice was never received by the Applicant, although Applicant became aware of the Notice through an inquiry made via the Public Access Information Retrieval (PAIR) system on March 10, 2006. The PAIR image wrapper indicates that the Notice was returned to USPTO as undelivered on December 12, 2005, even though the Notice was correctly addressed (see Exhibit A). After becoming aware of the Notice, the undersigned conducted a search of the file jacket and the docket records, both of which indicated that the Notice had not been received.

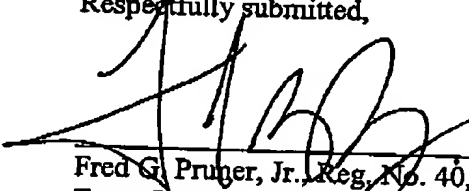
Applicant points out that extensions to the response to the Notice may be obtained under 37 CFR 1.136. Thus, if Applicant had received the Notice, the reply date would be December 23, 2005; and a three month extension fee would be due with this Amendment. However, Applicant submits that such an extension fee is not due, due to the non-receipt of the Notice.

If it is found that an extension fee is due with this Amendment to keep the application from being abandoned, then the Commissioner is authorized to charge the extension fee to Deposit Account No. 20-1504 (ITL.0645US).

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0645US).

Respectfully submitted,

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